

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Review Item:

701 KAR 5:130, Drug Testing of Teachers Involved in Illegal Use of Controlled Substances

Applicable Statute or Regulation:

KRS 161.175, Teachers involved in illegal use of controlled substances

History/Background:

KRS 161.175, enacted in 2006, requires any teacher disciplined for misconduct involving the illegal use of controlled substances as a condition of retaining employment, to undergo random or periodic drug testing for up to one year following the disciplinary action, “in accordance with administrative regulations promulgated by the Kentucky Board of Education”.

KRS 161.175 requires the Kentucky Board of Education to regulate the drug testing of certified employees who are disciplined for misconduct involving the illegal use of controlled substances.

Groups Consulted and Brief Summary of Responses:

Kentucky School Boards Association
Education Professional Standards Board
Local Superintendents Advisory Council

The first two groups are in support of the regulation. The Local Superintendents Advisory Council will review the regulation and provide input to the Board.

Impact on Getting to Proficiency:

This regulation attempts to reduce drug use by school district certified employees through drug testing as a condition to continued employment following discipline for misconduct involving the illegal use of controlled substances. Students need to have teachers who are well prepared and able to provide quality teaching while serving as role models.

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Interim Commissioner of Education

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